



The Commonwealth of Massachusetts

**DEPARTMENT OF
TELECOMMUNICATIONS AND ENERGY**

NOTICE OF FILING AND PUBLIC HEARING

D.T.E. 05-35

June 8, 2005

Petition of Boston Gas Company d/b/a KeySpan Energy Delivery New England, pursuant to G.L. c. 164, § 94A, for approval by the Department of Telecommunications and Energy of a firm transportation agreement with Tennessee Gas Pipeline Company to meet demand requirements of its firm customers.

On April 29, 2005, Boston Gas Company d/b/a KeySpan Energy Delivery New England ("Boston Gas" or the "Company"), filed with the Department of Telecommunications and Energy ("Department") a petition for approval of a firm transportation agreement ("Agreement") with the Tennessee Gas Pipeline Company ("Tennessee"). According to the Company, the Agreement satisfies a need for additional city-gate deliverability of gas to serve its customers that was identified in a Fall 2004 update to the Company's 2001-2006 Long-Range Resource and Requirements Plan. KeySpan Energy Delivery New England, D.T.E. 01-105 (2003). The Agreement covers a period in excess of one year and is therefore subject to the Department's jurisdiction under G.L. c. 164, § 94A. This case has been docketed as D.T.E. 05-35.

Pursuant to the Agreement, Tennessee will provide firm transportation service up to a maximum daily transportation quantity ("MDTQ") of 100,000 MMBtus/day for a primary term of 20 years subject to the Company's right to decrease the MDTQ by up to (i) 25 percent effective eleven years and five months following the in-service date (ii) 50 percent effective 13 years following the in-service date and (iii) 100 percent effective 15 years following the in-service date. Service will commence on the later of November 1, 2007, or the project's in-service date. Service will be provided at a fixed, negotiated rate for the term of the Agreement.

The Department will conduct a public hearing to receive comments on the Company's petition. The hearing will take place on Thursday, July 14, 2005, at 2:00 p.m. at the

Department's offices, One South Station - 2nd Floor, Boston, MA 02110. Any person who desires to comment may do so at the public hearing or submit written comments to the Department not later than the close of business (5:00 p.m.) on Wednesday, July 13, 2005.

A copy of the Company's filing is on file at the Department's offices, One South Station, Boston, Massachusetts for public view during business hours. Copies are also on file for public view at KeySpan Energy Delivery New England, 52 Second Avenue, Waltham, Massachusetts 02451. Any person desiring further information regarding the Company's filing should contact counsel for Boston Gas, Thomas P. O'Neill, Esq., at (781) 466-5136. Any person desiring further information regarding this notice should contact Julie Howley Westwater, Hearing Officer, Department of Telecommunications and Energy, at (617) 305-3500.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business (5:00 p.m.) on Thursday, July 7, 2005. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03, including a description of the manner in which the petitioner is substantially and specifically affected by this proceeding. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A late filed petition may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

An original of all written comments or petitions to intervene must be filed with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station - 2nd Floor, Boston, Massachusetts 02110. One copy each of all written comments and petitions to intervene must also be sent to Timothy Cargill, Rebecca Hanson, Andreas Thanos, and Julie Howley Westwater, at the Department of Telecommunications and Energy, and one copy to counsel for the Company, Thomas P. O'Neill, Esq., KeySpan Energy Delivery New England, 52 Second Avenue, Waltham, Massachusetts 02451.

All written comments also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dte.efiling@state.ma.us and julie.westwater@state.ma.us, or (2) on a 3.5" disk. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding [D.T.E. 05-35]; (2) name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing also should include the name, title and telephone number of a person to contact in the event of questions about the filing. Text responses should be created in either Corel Word Perfect, Microsoft Word, or as an Adobe-compatible PDF file. Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's Web site: <http://www.mass.gov/dte/>.



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ORDER OF NOTICE

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Boston Gas Company d/b/a KeySpan Energy Delivery New England ("Boston Gas") shall, no later than fourteen (14) days prior to July 14, 2005, give notice of said hearing and request for comments by service to the parties in docket D.T.E. 01-105 and by publication hereof in The Boston Globe or Boston Herald. Boston Gas is required to make return of service, to include the original clippings of the newspaper publications, at the time of the hearing.

By Order of the Department,

_____/s/_____
Mary L. Cottrell, Secretary